

### **REMARKS/ARGUMENTS**

Claims 1-17 are pending in the application. Applicants have amended claims 1, 5, 6, 9, 12 and 15 and cancelled claims 7, 13 and 16-17. Applicants respectfully request reconsideration of the claims in view of the amendments and the following arguments.

Claims 5, 6, 9, 15 and 17 stand objected. The Examiner requested correction to spell out the abbreviations of Q, QAE and DEAE. In response, Applicants have amended these claims accordingly. Support for the amendment can be found in the specification, page 5, lines 7-10. No new matter has been introduced.

Claims 1, 2 and 10 stand rejected under 35 U.S.C. §102(b) over Rice et al. Applicants respectfully disagree. Applicants submit that as the Examiner stated, the preamble only state a purpose or intended use for the invention. However, the claim body did state that the hydrophilic support is placed “between the cathode and the cathode side of the gel”, thus the acidic interval IPG (immobilised pH gradient) gel is included as part of the claim body. Nonetheless, Applicants have amended claim 1 to clearly state that the acidic interval IPG (immobilised pH gradient) is a part of the claimed invention. Support for the amendment can be found on page 3, lines 10-16 and page 4, lines 3-5. Thus the 35 U.S.C. §102(b) rejections should now be withdrawn.

The rejections of claims 3-6, 8, 9, 11, 15-17 under 35 U.S.C. §103(a) are now moot in view of the amendments to claim 1 and claim 12.

Claims 7 and 12-14 stand rejected under 35 U.S.C. §103(a) over Rice et al. in view of Olech et al. Applicants respectfully disagree. In as much as the rejections would

be applied to the amended claims 1 and 12, Applicants provide the following arguments. Applicants submit that the only reference on isoelectric focusing is Olech. In Olech, the sample is applied by rehydrating the gel, not using a sample applicator paper. However, as noted in the specification, rehydration loading is not possible with already swollen gels (ready to go gels, RTG gels) (See the specification, page 2, lines 7-9). Thus, contrary to the Examiner's assertion, the order of performing the process is a very important feature of the invention. The claimed method and kit are not rendered obvious by the combination of Rice et al. in view of Olech et al. Applicants respectfully submit that the amended claims are patentable.

Applicants assert that the claims are in allowable form and earnestly solicit the allowance of claims 1-6, 8-12 and 14-15.

Early and favorable consideration is respectfully requested.

Respectfully submitted,

GE Healthcare Bio-Sciences Corp.

By: /Yonggang Ji/  
Yonggang Ji  
Reg. No.: 53,073  
Agent for Applicants

GE Healthcare Bio-Sciences Corp.  
800 Centennial Avenue  
P. O. Box 1327  
Piscataway, New Jersey 08855-1327

Tel: (732) 980-2875  
Fax: (732) 457-8463

I hereby certify that this correspondence is being uploaded to the United States Patent and Trademark Office using the Electronic Filing System on January 19, 2010.

Signature: /Melissa Leck/

Name: Melissa Leck